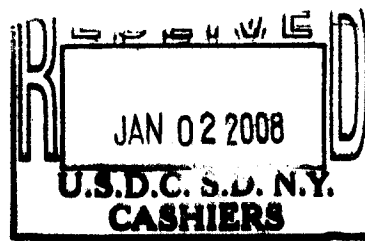


Jonathan Zavin (JZ-1846)  
Christina S. Monteiro (CM-8395)  
LOEB & LOEB LLP  
345 Park Avenue  
New York, NY 10154-0037  
(212) 407-4000  
Attorneys for Plaintiffs



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**JUDGE CONNER**

UNIVERSAL CITY STUDIOS PRODUCTIONS  
LLLP, a Delaware limited liability limited  
partnership; and TWENTIETH CENTURY FOX  
FILM CORPORATION, a Delaware corporation,

Plaintiffs,

-against-

GIL SANABRIA, an individual,

Defendant.

Civil Action No.:

**08 CV 0010**

**COMPLAINT FOR COPYRIGHT  
INFRINGEMENT**

Plaintiffs, by their attorneys, for their complaint against Gil Sanabria ("Defendant"),  
allege:

### **JURISDICTION AND VENUE**

1. This is a civil action seeking damages and injunctive relief for copyright infringement under the copyright laws of the United States (17 U.S.C. § 101 *et seq.*).
2. This Court has jurisdiction under 17 U.S.C. § 101 *et seq.*; 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1338(a) (copyright).
3. This Court has personal jurisdiction over the Defendant, and venue in this District is proper under 28 U.S.C. § 1391(b) and/or 28 U.S.C. § 1400(a), because Defendant resides in this District and the acts of infringement complained of herein originated in this District.

## **PARTIES**

4. Plaintiffs Universal City Studios Productions LLLP and Twentieth Century Fox Film Corporation (collectively, the "Plaintiffs") are among the world's leading creators and distributors of motion pictures. Plaintiffs bring this action to stop Defendant from copying and distributing to others over the Internet unauthorized copies of the Plaintiffs' copyrighted motion pictures. Defendant's infringements allow Defendant and others to unlawfully obtain and distribute for free unauthorized copyrighted works that the Plaintiffs spend millions of dollars to create and/or distribute. Each time Defendant unlawfully distributes a free copy of one of the Plaintiffs' copyrighted motion pictures to others over the Internet, each person who copies that motion picture can then distribute that unlawful copy to others without any significant degradation in sound and picture quality. Thus, Defendant's distribution of even one unlawful copy of a motion picture can result in the nearly instantaneous worldwide distribution of that single copy to a limitless number of people. The Plaintiffs now seek redress for this rampant infringement of their exclusive rights.

5. Plaintiff Universal City Studios Productions LLLP is a Delaware limited liability limited partnership, with its principal place of business at 100 Universal City Plaza, Universal City, California. Universal City Studios Productions LLLP ("Universal") is engaged in the production, acquisition and distribution of motion pictures for theatrical exhibition, home entertainment and other forms of distribution. Universal is the owner of the copyrights and/or the pertinent exclusive rights under copyright in the United States in motion pictures, including those identified in Exhibit A, which have been unlawfully distributed over the Internet by the Defendant.

6. Plaintiff Twentieth Century Fox Film Corporation is a Delaware corporation, with its principal place of business at 10201 West Pico Boulevard, Los Angeles, California. Twentieth Century Fox Film Corporation ("Fox") is engaged in the production, acquisition and distribution of motion pictures for theatrical exhibition, home entertainment and other forms of distribution. Fox is the owner of the copyrights and/or the pertinent exclusive rights under

copyright in the United States in motion pictures, including those identified in Exhibit A, which have been unlawfully distributed over the Internet by the Defendant.

7. Upon information and belief, Defendant, an individual, resides in this District.

## **COUNT I**

### **INFRINGEMENT OF COPYRIGHTS**

8. The Plaintiffs are responsible for the creation, development, production and distribution of numerous commercially released motion pictures.

9. At all relevant times the Plaintiffs have been the holders of the pertinent exclusive rights infringed by Defendant, as alleged hereunder, for certain copyrighted motion pictures, including, but not limited to, *Meet The Fockers* and *Hide and Seek* (collectively, the "Copyrighted Motion Pictures"). Each of the Copyrighted Motion Pictures is the subject of a valid Certificate of Copyright Registration issued by the Register of Copyrights. True and correct copies of these Certificates of Copyright Registration are attached hereto as Exhibit A.

10. Each of the Copyrighted Motion Pictures contains a copyright notice advising the viewer that the motion picture is protected by the copyright laws.

11. The Plaintiffs are informed and believe that Defendant, without the permission or consent of the Plaintiffs, has used, and continues to use, iMesh, an online media distribution system to distribute to the public, including by making available for distribution to others, on or about June 8, 2005 the Copyrighted Motion Pictures. In doing so, Defendant has violated the Plaintiffs' exclusive rights of reproduction and distribution. Defendant's actions constitute infringement of the Plaintiffs' exclusive rights protected under the Copyright Act of 1976 (17 U.S.C. § 101 *et seq.*).

12. The foregoing acts of infringement have been willful, intentional, and in disregard of and with indifference to the rights of the Plaintiffs.

13. As a result of Defendant's infringement of the Plaintiffs' exclusive rights under copyright, the Plaintiffs are entitled to relief pursuant to 17 U.S.C. § 504, and to their attorneys' fees and costs pursuant to 17 U.S.C. § 505.

14. Defendant's conduct is causing, and unless enjoined and restrained by this Court will continue to cause, the Plaintiffs great and irreparable injury that cannot fully be compensated or measured in money. The Plaintiffs have no adequate remedy at law. Pursuant to 17 U.S.C. §§ 502 and 503, the Plaintiffs are entitled to injunctive relief prohibiting Defendant from further infringing the Plaintiffs' copyrights and ordering that Defendant destroy all copies of the Copyrighted Motion Pictures made in violation of the Plaintiffs' copyrights.

WHEREFORE, the Plaintiffs pray for judgment against Defendant as follows:

1. For entry of preliminary and permanent injunctions providing Defendant shall be enjoined from directly or indirectly infringing the Plaintiffs' rights in the Copyrighted Motion Pictures and any motion picture, whether now in existence or later created, that is owned or controlled by the Plaintiffs ("the Plaintiffs' Motion Pictures"), including without limitation by using the Internet to reproduce or copy any of the Plaintiffs' Motion Pictures, to distribute any of the Plaintiffs' Motion Pictures, or to make any of the Plaintiffs' Motion Pictures available for distribution to the public, except pursuant to a lawful license or with the express authority of the Plaintiffs. Defendant also shall destroy all copies of the Plaintiffs' Motion Pictures that Defendant has downloaded onto any computer hard drive or server without the Plaintiffs' authorization and shall destroy all copies of those downloaded motion pictures transferred onto any physical medium or device in Defendant's possession, custody, or control.
2. For actual damages or statutory damages pursuant to 17 U.S.C. § 504, at the election of the Plaintiffs.
3. For the Plaintiffs' costs.
4. For the Plaintiffs' reasonable attorneys' fees.

5. For such other and further relief as the Court deems proper.

Dated: New York, New York  
January 2, 2008

Attorneys for Plaintiffs

By:   
Jonathan Zavin (JZ-1846)  
Christina S. Monteiro (CM-8395)  
LOEB & LOEB LLP  
345 Park Avenue  
New York, NY 10154-0037  
Telephone: (212) 407-4000  
Facsimile: (212) 407-4990

# **EXHIBIT A**

## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

Register of Copyrights, United States of America



Form CA

For Supplementary Registration  
When First Copyrighted

REGISTRATION NUMBER

PA 1-339-279



EFFECTIVE DATE OF SUPPLEMENTARY REGISTRATION

OCT 20, 2006

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**A**

Title of Work

MEET THE FOCKERS

Registration Number of the Basic Registration

PA 1-339-423

Year of Basic Registration

2006

Name(s) of Author(s)

UNIVERSAL CITY STUDIOS LLP and  
DREAMWORKS LLC

Name(s) of Copyright Claimant(s)

UNIVERSAL CITY STUDIOS LLP and  
DREAMWORKS LLC

**B**

Location and Nature of Incorrect Information in Basic Registration

Line Number

4

Line Heading or Description

COPYRIGHT CLAIMANT(S) and TRANSFER

Incorrect Information as it Appears in Basic Registration

UNIVERSAL CITY STUDIOS LLP and DREAMWORKS LLC

Corrected Information

UNIVERSAL CITY STUDIOS PRODUCTIONS LLP and DREAMWORKS LLC

Explanation of Correction

An incorrect affiliated corporate entity was inadvertently listed as one of the co-claimants.

**C**

Location and Nature of Information in Basic Registration to be Amplified

Line Number

Line Heading or Description

Amplified Information and Explanation of Information

NOV-01-2006 13:31

REC &amp; PROC DIV

2007/01/18/99 P.03/03

FORM CA RECEIVED

FORM CA

OCT 20 2006

FUND RECEIVED DATE

OCT 20 2006

DONATED BY

CORRESPONDENCE ☐FOR  
COPYRIGHT  
OFFICE  
USE  
ONLYREFERENCE TO THE REGISTRATION ADDED TO  
BASIC REGISTRATION ☒ YES ☐ NO

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

Continuation of ☐ Part B or ☐ Part C100 UNIVERSAL CITY PLAZA  
UNIVERSAL CITY, CALIFORNIA 91608

D

## TRANSFER:

UNIVERSAL CITY STUDIOS PRODUCTIONS LLP OBTAINED OWNERSHIP OF THE COPYRIGHT PURSUANT  
TO AN ASSIGNMENT FROM UNIVERSAL CITY STUDIOS LLP.

Correspondence: Give name and address to which correspondence about this application should be sent.

E

Phone: (818) 777-1899 Fax: (818) 866-6339 Email: pat.villalobos@nbcuni.com

Deposit Account: If the registration fee is to be charged in a Deposit Account established in the Copyright Office, give name and number of Account.  
Name: UNIVERSAL CITY STUDIOS LLP

Account Number: DA 034982

Certification: I, the undersigned, hereby certify that I am the ☐ author ☐ owner of exclusive rights ☐ other copyright claimant ☒ duly authorized agent of

UNIVERSAL CITY STUDIOS LLP

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name ☒

PATRICIA VILLALOBOS

Date: OCTOBER 18, 2006

Handwritten signature ☒

Certification will be mailed in separate envelope to this address:

Name <input checked="" type="checkbox"/>	UNIVERSAL CITY STUDIOS PRODUCTIONS LLP
ATTN: <input checked="" type="checkbox"/>	PATRICIA VILLALOBOS
Address <input checked="" type="checkbox"/>	100 UNIVERSAL CITY PLAZA, 1280/05
City/State <input checked="" type="checkbox"/>	UNIVERSAL CITY, CA 91608

RECEIVED  
OCT 20 2006  
COPYRIGHT OFFICE  
U.S. DEPARTMENT OF COMMERCE

G

U.S. DEPARTMENT OF COMMERCE  
COPYRIGHT OFFICE  
1000 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20540-4001  
TELEPHONE: (202) 301-4700  
FAX: (202) 301-4701  
WWW.COPYRIGHTOFFICE.DOC.GOV

U.S. DEPARTMENT OF COMMERCE 2004-01-11/21/06





## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

Register of Copyrights, United States of America

**Form PA**  
For a Work of Performing Arts  
UNITED STATES COPYRIGHT OFFICE

PA 1-256-834

EXPIRATION DATE OF REGISTRATION

Month JAN Day 28 Year 2005

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE USE A SEPARATE CONTINUATION SHEET

1

TITLE OF THIS WORK ▼

HIDE AND SEEK

PREVIOUS OR ALTERNATIVE TITLES ▼

NATURE OF THIS WORK ▼ See instructions

FEATURE MOTION PICTURE (030416)

2

NAME OF AUTHOR ▼

a MBC Beteiligungs GmbH & Co Filmproduktions-KG

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

Was this contribution to the work a work made for hire?

☒ Yes  
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country  
Citizen of  
OR  
Domiciled in GERMANY

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No  
Pseudonym? ☐ Yes ☒ No

**NOTE**

Under the law the author of a "work made for hire" is generally the employer not the employee (see instructions). For any part of this work that was made for hire check "Yes" in the space provided give the employer (or other person for whom the work was prepared) as "Author" of that part and leave the space for dates of birth and death blank.

NATURE OF AUTHORSHIP Entire Work

Briefly describe nature of material created by this author in which copyright is claimed ▼

NAME OF AUTHOR ▼

b

Was this contribution to the work a work made for hire?

☐ Yes  
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country  
Citizen of  
OR  
Domiciled in

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☐ No  
Pseudonym? ☐ Yes ☐ No

NATURE OF AUTHORSHIP

Briefly describe nature of material created by this author in which copyright is claimed ▼

NAME OF AUTHOR ▼

c

Was this contribution to the work a work made for hire?

☐ Yes  
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country  
Citizen of  
OR  
Domiciled in

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☐ No  
Pseudonym? ☐ Yes ☐ No

NATURE OF AUTHORSHIP

Briefly describe nature of material created by this author in which copyright is claimed ▼

3

a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

2005 Year must be given in all cases

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information ONLY if this work has been published Month 1 Day 7 Year 2005  
UNITED STATES Nation

4

Copyright Claimant(s) Name and address must be given even if the claimant is the same as the author given in space 2 ▼

Twentieth Century Fox Film Corporation  
P O Box 900  
Beverly Hills CA 90213

TRANSFER If the claimant (s) named here in space 4 is (are) different from the author (s) named in space 2 give a brief statement of how the claimant (s) obtained ownership of the copyright ▼

By assignment

APPLICATION RECEIVED

JAN 28 2005

ONE DEPOSIT RECEIVED

(6) 35mm/L

TWO DEPOSITS RECEIVED

JAN 28 2005

FUNDS RECEIVED

MORE ON BACK ▶

• Complete all applicable spaces (numbers 5-8) on the reverse side of this page  
• See detailed instructions  
• Sign the form at line 8

DO NOT WRITE HERE  
Page 1 of 1 pages

EXAMINED BY <u>KG</u>	FORM PA
CHECKED BY <u>SDW</u>	
<input type="checkbox"/> CORRESPONDENCE Yes	FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE USE A SEPARATE CONTINUATION SHEET

**PREVIOUS REGISTRATION** Has registration for this work or for an earlier version of this work already been made in the Copyright Office?  
☒ Yes ☐ No If your answer is Yes why is another registration being sought? (Check appropriate box) ☐ If your answer is No do not check box A B or C

a ☐ This is the first published edition of a work previously registered in unpublished form  
b ☐ This is the first application submitted by this author as copyright claimant  
c ☒ This is a changed version of the work as shown by space 6 on this application

If your answer is Yes give Previous Registration Number  Year of Registration   
See below 2004

5

**DERIVATIVE WORK OR COMPILATION** Complete both space 6a and 6b for a derivative work complete only 6b for a compilation  
Prescreening Material Identify any prescreening work or works that this work is based on or incorporates

a

6

See instructions  
before completing  
this space

Feature screenplay entitled HIDE AND SEEK (PAU 2-828 641) music

**Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed

b

All other cinematographic material

**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office give name and number of Account  
Name  Account Number

a

7

Twentieth Century Fox Film Corporation

DA011185

**CORRESPONDENCE** Give name and address to which correspondence about this application should be sent Name/Address/Apt/City/State/ZIP

b

Mary McGuire 2121/731

Fox Group Legal P O Box 900

Beverly Hills CA 90213

Area code and daytime telephone number (310) 369 5159

Fax number (310) 369 2382

Email CR@Fox.com

**CERTIFICATION** I, the undersigned, hereby certify that I am the

Check only one

- ☐ author  
☐ other copyright claimant  
☐ owner of exclusive right(s)  
☒ authorized agent of

Twentieth Century Fox Film Corporation

Name of author or other copyright claimant or owner of exclusive right(s) A  
of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge

8

Typed or printed name and date If this application gives a date of publication in space 3 do not sign and submit it before that date

Mary McGuire

Date 27 Jan 2005

Handwritten signature (X) ☒

Certificate  
will be  
mailed in  
window  
envelope  
to this  
address

Name <input type="text"/>	Fox Group Legal
Attn <input type="text"/>	Mary McGuire (Bldg 2121 Room 731)
Number/Street/Apt <input type="text"/>	P O Box 900
City/State/ZIP <input type="text"/>	Beverly Hills CA 90213

Complete all remaining spaces  
Sign your application in space 9

1 Application Fee  
2 Non-refundable filing fee to check or money  
order payable to Register of Copyrights  
3 Deposit material  
Library of Congress  
Copyright Office  
101 Independence Avenue S.E.  
Washington D.C. 20540-0001

Free e-mail alert to keep you informed of new copyright law  
with the Copyright  
Office or call  
(202) 707-6000

9

# CONTINUATION SHEET FOR APPLICATION FORMS

- This Continuation Sheet is used in conjunction with Forms CA PA SE SR TX and VA only. Indicate which basic form you are continuing in the space in the upper right hand corner.
- If at all possible, try to fit the information called for into the spaces provided on the basic form.
- If you do not have enough space for all the information you need to give on the basic form, use this Continuation Sheet and submit it with the basic form.
- If you submit this Continuation Sheet, clip (do not tape or staple) it to the basic form and fold the two together before submitting them.
- Space A of this sheet is intended to identify the basic application.
- Space B is a continuation of Space 2 on the basic application.
- Space B is not applicable to Short Forms.
- Space C (on the reverse side of this sheet) is for the continuation of Spaces 1, 4, or 6 on the basic application or for the continuation of Space 1 on any of the three Short Forms PA TX or VA.

**C** Form PA / CON  
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

PA 1-256-834

EFFECTIVE DATE OF REGISTRATION

(Month) JAN (Day) 28 (Year) 2005

CONTINUATION SHEET  
JAN 28 2005

Page 3 of 4 pages

DO NOT WRITE ABOVE THIS LINE FOR COPYRIGHT OFFICE USE ONLY

**IDENTIFICATION OF CONTINUATION SHEET** This sheet is a continuation of the application for copyright registration on the basic form submitted for the following work:

- **TITLE** (Give the title as given under the heading "Title of this Work" in Space 1 of the basic form.)

**HIDE AND SEEK**

**A**  
Identification  
of  
Application

- **NAME(S) AND ADDRESS(ES) OF COPYRIGHT CLAIMANT(S)** (Give the name and address of at least one copyright claimant as given in Space 4 of the basic form or Space 2 of any of the Short Forms PA, TX, or VA.)

Twentieth Century Fox Film Corporation  
P O Box 900 Beverly Hills CA 90213

**NAME OF AUTHOR** ▼

**DATES OF BIRTH AND DEATH**  
Year Born ▼ Year Died ▼

**B**  
Continuation  
of Space 2

Was this contribution to the work a work made for hire?

- ☐ Yes  
☐ No

**AUTHOR'S NATIONALITY OR DOMICILE**  
Name of Country

OR { Citizen of ► \_\_\_\_\_  
Domiciled in ► \_\_\_\_\_

**WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK**

Anonymous? ☐ Yes ☐ No  
Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes" see detailed instructions

**NATURE OF AUTHORSHIP** Briefly describe nature of the material created by this author in which copyright is claimed ▼

**NAME OF AUTHOR** ▼

**DATES OF BIRTH AND DEATH**  
Year Born ▼ Year Died ▼

**e**

Was this contribution to the work a work made for hire?

- ☐ Yes  
☐ No

**AUTHOR'S NATIONALITY OR DOMICILE**  
Name of Country

OR { Citizen of ► \_\_\_\_\_  
Domiciled in ► \_\_\_\_\_

**WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK**

Anonymous? ☐ Yes ☐ No  
Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes" see detailed instructions

**NATURE OF AUTHORSHIP** Briefly describe nature of the material created by this author in which copyright is claimed ▼

**NAME OF AUTHOR** ▼

**DATES OF BIRTH AND DEATH**  
Year Born ▼ Year Died ▼

**f**

Was this contribution to the work a work made for hire?

- ☐ Yes  
☐ No

**AUTHOR'S NATIONALITY OR DOMICILE**  
Name of Country

OR { Citizen of ► \_\_\_\_\_  
Domiciled in ► \_\_\_\_\_

**WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK**

Anonymous? ☐ Yes ☐ No  
Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes" see detailed instructions

**NATURE OF AUTHORSHIP** Briefly describe nature of the material created by this author in which copyright is claimed ▼

Use the reverse side of this sheet if you need more space for continuation of Spaces 1, 4, or 6 of the basic form or for the continuation of Space 1 on any of the Short Forms PA TX or VA

CONTINUATION OF (Check which)

☐ Space 1

☒ Space 4

☐ Space 6

MBC Beteiligungs GmbH & Co Filmproduktions KG  
Reichenbachstrasse 33  
80469

**C**  
Continuation  
of other  
Spaces

Certificate  
will be  
mailed in  
window  
envelope  
to this  
address

Name v Fox Group Legal

Attn Mary McGuire (Bldg 2121 Room 731)

Number/Street/Apt v

P O Box 900

City/State/ZIP v

Beverly Hills CA 90213

Complete all necessary spaces

File your application

1. Payment of fee  
2. Nonreturnable filing fee in check or  
money order payable to Registrar  
of Copyrights  
3. Deposit material

Library of Congress Copyright Office  
101 Independence Avenue S E  
Washington DC 20540-4001

**D**

Fees are subject  
to change  
For current fees  
visit the Copyright  
Office website at  
www.copyright.gov  
or call  
(202) 707-9000